

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION BY COUNCIL MEMBER CARLA SMITH

02-R-0691

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OAKMONT PLACE COMMUNITY ASSOCIATION, INC. PROVIDING FOR THE NON-STANDARD LOCATION OF WATER METERS ON PRIVATE PROPERTY LOCATED UNINCORPORATED FULTON COUNTY, GEORGIA, TO WHICH THE CITY PROVIDES WATER SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, Oakmont Place Community Association, Inc. ("Oakmont") wishes to build 5 residential, single-family units in a subdivision located unincorporated Fulton County outside of the municipal boundaries of the City of Atlanta ("City"); and

WHEREAS, the proposed single-family homes would be served with potable water from the City; and

WHEREAS, The City typically requires that water meters be located at the "service connection" location either on City property, in the right-of-way or within an easement or license granted to the City; and

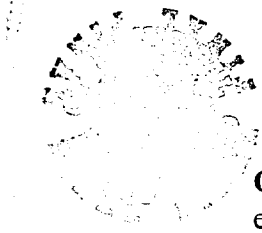
WHEREAS, Section 154-66 of the City's Code of Ordinances regarding the City's water system provides that a "service connection" is the point of water delivery to a premises where the water meter is normally located and where the City's responsibility ends and the water customer's responsibility begins; and

WHEREAS, Oakmont proposes to locate five (5) water meters at locations different than the service connection location, to allow each meter to be located on private property on an individual lot in the Subdivision; and

WHEREAS, Oakmont has, accordingly, requested that the City waive the requirements of Section 154-66 of its Code of Ordinances applicable to the location of water meters; and

WHEREAS, the Commissioner of the City's Department of Water and United Water have reviewed the plans submitted by Oakmont for the installation of water system infrastructure, including meters, within the Subdivision and have approved those plans and considered Oakmont's request for a waiver of Section 154-66 of the City's Code of Ordinances; and

WHEREAS, it is desirable and in the best interests of the City to enter into an Agreement with Oakmont setting forth the terms between the parties concerning the installation of and responsibility for water system infrastructure, including meters, within the Subdivision.



NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA THAT, the Mayor is authorized to execute with Oakmont an Agreement for the non-standard location of water meters on private property located within the Subdivision upon substantially the following conditions:

- 1) The Subdivision water system will be constructed per the Plans attached as Exhibit 1, with the water meters located on private property.
- 2) The "service connection" will be located at the west side of the 4" and 8" waterline saddle tap w/valves ("Valves"), as shown on Exhibit 1, so that the City's responsibility for the public portions of the water system includes the Valves.
- 3) The City or its representatives will read each water meter at the locations indicated in the Plans.
- 4) Oakmont agrees to obtain, in writing, from any residential owner, prior to water service being established: [i] an acknowledgement of the City's or its representatives' license to enter private property to read the meter; [ii] an acknowledgment that the water lines between the meter and the residence and between the meter and the Valves must be maintained by the resident or Oakmont; [iii] an appropriate City easement for the water meter location; and [iv] an indemnification agreement indemnifying the City from all damage claims resulting from its or its representatives' installation, maintenance and access to the meter.

BE IT FURTHER RESOLVED, that the City Attorney is authorized to prepare an Agreement with Oakmont for this transaction, as deemed necessary and appropriate or as required by law.

BE IT FURTHER RESOLVED, that the Agreement will not become binding upon the City and the City will not be liable or obligated under it until it has been duly executed by Oakmont, executed by the Mayor, attested to by the Municipal Clerk, approved by the City Attorney as to form and delivered to Oakmont.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

APR 01, 2002
APR 05, 2002



Engineering, Inc.

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EXHIBIT 2

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Atlanta City Council

Regular Session

02-R-0691 Councilmember Smith; Regarding Water
 Meters/Services
 ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	NV Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	B Woolard

CORRECTED COPY

02-R-0691

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**A RESOLUTION BY COUNCIL MEMBER
CARLA SMITH**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OAKMONT PLACE COMMUNITY ASSOCIATION, INC. PROVIDING FOR THE NON-STANDARD LOCATION OF WATER METERS ON PRIVATE PROPERTY LOCATED UNINCORPORATED FULTON COUNTY, GEORGIA, TO WHICH THE CITY PROVIDES WATER SERVICES; AND FOR OTHER PURPOSES.

ADOPTED BY

APR 01 2002

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

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First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

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Committee

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Fav, Adv, Hold (see rev. side)

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Members

Refer To

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Date

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Action:

Fav, Adv, Hold (see rev. side)

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Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
APR 1 2002
Carla Smith

COUNCIL PRESIDENT PROTEM

CERTIFIED
APR 01 2002

Rachel Daughlin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
Mayor
APR 05 2002

MAYOR